

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

**JAMIE ROURK,**

**Plaintiff,**

**vs.**

**BANK OF AMERICA, N.A.,**

**Defendant.**

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**CIVIL ACTION FILE NO.:  
4:12-CV-00042 (CDL)**

**PLAINTIFF'S FIRST AMENDMENT TO COMPLAINT**

COMES NOW the Plaintiff and files her First Amendment to the Complaint within 21 days after the service of the Complaint under FRCP 15 (a)(1)(A) and shows as follows:

**COUNT SEVEN**

**INTENTIONAL NEGLIGENT SERVICING OF LOAN**

71.

All allegations in previous paragraphs are incorporated herein.

72.

BANA had duties under various HUD regulations which it intentionally disregarded, constituting intentional negligence.

73.

Some of these duties under HUD regulations are set forth in paragraphs 56, 57, 58, 59, 60, and 61.

74.

24 CFR § 203.501 and 24 CFR §203.605 requires BANA to engage in loss mitigation actions which it intentionally failed to do.

Wherefore Plaintiff prays that this amendment be allowed and that she recover relief as requested in the Complaint.

This 22<sup>nd</sup> day of February, 2012.

CHARLES A. GOWER, P.C.

/s/ Charles A. Gower  
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